

Date: August 16, 2005

To: Chairman Randolph, and Commissioners Blair, Downey, Huguenin and Remy

From: Mark Krausse, Executive Director

This is a summary of administrative activity and other matters since the report sent to you prior to the last Commission meeting.

A. PERSONNEL & BUDGET

In a reorganization of staff, former Publications Editor Jon Matthews has assumed the duties of recently retired Media Director Sigrid Bathen. Jon also will continue to manage publications and website functions under the title of Information Officer II.

Commission Assistant Whitney Barazoto has been promoted to the working title of Legislative and Communications Coordinator, teaming with the Information Officer II in handling press calls, advisories and releases, as well as editing and updating publications and website postings. She also will coordinate the agency's legislative program under the direction of the Executive Director. This new position will more fully utilize Whitney's work and educational experience, which includes three years on staff in the Assembly, two prior years of community relations employment, and her current status as a third-year law student at McGeorge School of Law. Until a replacement is hired, Whitney will continue to prepare Commission minutes and agendas.

Barbara Smith, an Analyst in the Secretary of State's Political Reform Division, has accepted a Political Reform Consultant I position with the Commission, to fill the position vacated by the transfer of Jeanette Turvill to the Enforcement Division last month. Ms. Smith has worked for the Political Reform Division since January of 1989. She brings a wealth of knowledge about the Act's disclosure provisions, particularly with regard to lobbying disclosure and the electronic filing requirements for candidates, committees, and lobbying entities.

B. STAFF PROJECTS

Chairman Randolph met with editorial board writers gathered by the Commonwealth Club of California to discuss campaign finance reform. While the group discussed several potential reform ideas, such as public funding of campaigns, Chairman Randolph emphasized the need to better fund the existing mandates in light of the 1/3 reduction in personnel the Commission has taken in the past decade, and the challenge that cut presents in terms of meeting our workload.

The Technical Assistance Division's Cynthia Jones will be conducting candidate/treasurer workshops in Vallejo and Los Altos in August. These are in connection with local elections in November. Teri Rindahl and Tara Stock performed an outreach to the new city clerk in San Ramon on August 8, 2005.

In addition to transition and training issues, the new Communications Office has drafted the agency's application for a 2005-2006 Executive Fellow, drafted a response to a membership survey from the Council on Governmental Ethics Laws (COGEL), completed a first draft of proposed media relations guidelines, begun a pilot project of posting recent Commission advice letters on our website, and, with major assistance from the Legal Division, completed a revision of the popular conflict-of-interest booklet, "Can I Vote?"

C. APPROVAL OF CONFLICT-OF-INTEREST CODES/AMENDMENTS

Pursuant to Government Code section 87300 and Commission regulation 18750.1, state and multi-county agencies seeking to adopt or substantively amend a conflict-of-interest code must submit the proposed code to the Commission for review and approval. The Technical Assistance Division has reviewed and, in the last 45 days, I have approved the following conflict-of-interest codes:

Administrative Law, State of California Office of
Bay Area Water Supply and Conservation Agency
Coastal Conservancy, State of California
Employment Development Department, State of California
Finance, State of California Department of
Labor and Workforce Development Agency, State of California
Marysville Joint Unified School District
Santa Ana Watershed Project Authority
Santa Cruz County Fire Agencies Insurance Group
Upper Mokelumne River Watershed Authority
Water Reuse Finance Authority

D. FINDINGS OF PROBABLE CAUSE

Pursuant to regulation 18361, I have found evidence in the following cases sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that the following respondents committed or caused a violation of the Political Reform Act. **This finding of probable cause does not constitute a finding that a violation has actually occurred. The respondents are presumed to be innocent of any violation of the Act unless a violation is proved in a subsequent proceeding**

CHG Safety Technologies, Inc., FPPC No. 04/229. On August 5, 2005, probable cause was found to believe that between April 6, 2000 and June 20, 2000, Respondent, a Nevada corporation with patents that have applications for law enforcement, made twenty-five campaign contributions to the Friends of Mike Carona committee in Orange County, in names other than its own, in violation of sections 84301 and 84300, subdivision (c) of the Government Code (25 counts), and failed to file two semi-annual campaign statements as a major donor committee, in violation of section 84200, subdivision (b) of the Government Code (2 counts).

Daniel R. Gonzalez, Friends of Daniel R. Gonzalez, and Susana C. Gonzalez, FPPC No. 02/375. On July 6, 2005, probable cause was found to believe that Respondents, an unsuccessful State Senate candidate in the November 2000 general election, his controlled committee, and the committee's treasurer, failed to file semi-annual campaign statements following the election, in violation of section 84200, subdivision (a) of the Government Code (3 counts).

Bruce Peotter and Friends of Bruce Peotter, FPPC No. 02/247. On August 5, 2005, probable cause was found to believe that Respondent Peotter, a candidate for Orange County Clerk-Recorder, and his controlled committee, failed to include proper sender identification on a mass mailing sent prior to the March 5, 2002 primary election, in violation of section 84305, subdivision (c) of the Government Code (1 count).

In the Matter of Brent Wilkes, FPPC No. 03/791. On August 16, 2005, probable cause was found to believe that in May of 2000, Respondent Brent Wilkes made two campaign contributions to the Ron Roberts for Mayor committee, in names other than his own, in violation of sections 84301 and 84300, subdivision (c) of the Government Code (two counts).

E. REQUESTS FOR EXTENSION OF COMMITTEE TERMINATION

Commission regulation 18404.1 requires that state-candidate-controlled committees organized for elective state office be terminated pursuant to specified deadlines. Pursuant to the regulation, the following requests for extension of those termination deadlines were submitted to the Executive Director.

Ash Bhatt for Assembly (1254601). A request for extension was denied because the committee had no net debt.

Friends of Ellen Corbett for Assembly (980193). A request for extension was granted until December 31, 2005.

Friends of Tom Hallinan (1240224). A request for extension was granted until December 31, 2005.

Sam Stavros for State Assembly (1254288). A request for extension was granted until December 31, 2005.

Bill Simon for Governor (1233478). A request for extension was granted until December 31, 2005.

Tony Strickland for Assembly (962605). A request for extension was granted until February 28, 2006.